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Attorney for Plaintiff  
JORDAN BRANSCUM

9  
10 UNITED STATES DISTRICT COURT  
11 NORTHERN DISTRICT OF CALIFORNIA

12 JORDAN EDWARD BRANSCUM,

13 Plaintiff,

14 vs.

15 San Ramon Police Department; Scott  
Holder, in his Official Capacity as Chief of  
Police of the City of San Ramon Police  
Department; City of San Ramon; Jonathan  
Stephens, individually and as an Officer of  
the City of San Ramon Police Department;  
Joseph Nunn, individually and as an Officer  
of the City of San Ramon Police  
Department; TJ Reeder, individually and as  
an Officer of the City of San Ramon Police  
Department; Paul Burke, individually and  
as an Officer of the City of San Ramon  
Police Department; Stanley Szeto,  
individually and as an Officer of the City of  
San Ramon Police Department; and DOES  
1-100, inclusive,

16  
17 Defendants.

18 Case No. C11-04137 LB

19 **FURTHER JOINT CASE MANAGEMENT  
CONFERENCE STATEMENT**

20 **[AND PROPOSED ORDER]**

21 Date: November 8, 2012

22 Time: 10:30 a.m.

23 Ctrm: C, 15<sup>th</sup> Floor (San Francisco)

24 Judge: Hon. Laurel Beeler

25 Trial: April 22, 2013

26 The parties in this matter hereby provide the following Further Joint Case Management  
27 Conference Statement, as directed by the Court per the Clerk's Notice from November 6, 2012.

28 Both parties respectfully ask the Court for an extension of the current deadlines for expert

1 witness disclosures and discovery, until after the Court has issued an order on Defendants'  
 2 impending Motion for Summary Judgment, as follows.

3 **A. Current Motion and Expert Discovery Schedule**

4 Based on the Court's current case management schedule, the following schedule is in  
 5 place:

<u>DATE</u>	<u>EVENT</u>
November 15, 2012	Deadline to file Summary Judgment Motion
December 14, 2012	Expert Disclosures Due
December 20, 2012	Hearing on Summary Judgment Motion
December 28, 2012	Rebuttal Expert Disclosures Due
February 8, 2013	Expert Discovery Closes
March 21, 2013	Pretrial Filings Due
April 11, 2013	Final Pretrial Conference
April 22, 2013	Trial

16 The parties jointly and respectfully ask the Court for an extension of the current deadlines  
 17 for expert witness disclosures and discovery, until after the Court has heard oral argument on  
 18 Defendants' Motion for Summary Judgment ("Motion") and has issued an order on the Motion.  
 19 The Court's decision on Defendants' Motion has a significant impact on this case as a ruling in  
 20 favor of Defendants may dispose of this entire case, making the costly process of retention of  
 21 experts, disclosure of experts and completion of expert depositions perhaps a moot point. As the  
 22 schedule currently stands, expert retention and disclosure, as well as rebuttal disclosure, are due  
 23 likely before any ruling from the Court on the Motion, with the hearing on the motion set for  
 24 December 20th.

25 Further, due to the breadth of this Motion, the parties anticipate that a ruling from the  
 26 Court will take some time, though do not know essentially when such ruling is anticipated. The  
 27 parties are both in agreement and have a strong interest to conserve significant resources (for  
 28 expert retention, disclosure and depositions) and would prefer to not incur expenditures and time

1 for expert disclosures and discovery which may be moot if Defendants' Motion is granted in full  
 2 or in part.

3 As such, the parties ask the Court to extend the deadline for expert disclosures and  
 4 discovery, as outlined in the proposed new schedule below. The dates for pretrial filings, the final  
 5 pretrial conference and the trial date will not be affected by the proposed revised schedule, should  
 6 the Court believe this proposed new schedule, below, is feasible.

7 **B. Proposed New Expert Discovery Schedule**

8 The parties propose this new schedule which will defer expert disclosures and discovery  
 9 for a period of time pending the outcome of the Motion, if such disclosures and discovery is still  
 10 necessary after the Court's order on Defendants' Motion, without interfering with the Court's  
 11 pretrial and trial schedule.

<b>DATE</b>	<b>EVENT</b>
November 15, 2012	Deadline to file Summary Judgment Motion
December 20, 2012	Hearing on Summary Judgment Motion
January 25, 2013	Expert Disclosures Due
February 8, 2013	Rebuttal Expert Disclosures Due
February 28, 2013	Expert Discovery Closes
March 21, 2013	Pretrial Filings Due
April 11, 2013	Final Pretrial Conference
April 22, 2013	Trial

21  
 22 Should the Court believe the above schedule can be modified to better address these  
 23 issues, the parties are amenable to such insight and recommendations. The parties can address  
 24 these issues further at the upcoming Further Case Management Conference.  
 25

26  
 27  
 28

1 Dated: November 6, 2012

LAW OFFICES OF PANOS LAGOS

2 By: /s/ Lagos, Panos

3 Panos Lagos

4 Attorney for Plaintiff JORDAN BRANSUM

5 Dated: November 6, 2012

6 McNAMARA, NEY, BEATTY, SLATTERY,  
7 BORGES & AMBACHER LLP8 By: /s/ Blechman, Noah

9 James V. Fitzgerald, III / Noah G. Blechman

10 Attorneys for Defendants

11 SAN RAMON POLICE DEPARTMENT, CHIEF  
12 SCOTT HOLDER, CITY OF SAN RAMON,  
13 OFFICER PAUL BURKE, OFFICER JOSEPH NUNN,  
14 OFFICER T J REEDER, OFFICER JONATHAN  
15 STEPHENS and OFFICER STANLEY SZETO**ORDER**

16 Good cause having been shown by the parties, the Court GRANTS the parties' request to  
 17 extend the deadline for expert disclosures and discovery and ORDERS the following new  
 18 deadlines as the updated case management schedule .

<u>DATE</u>	<u>EVENT</u>
January 25, 2013	Expert Disclosures Due
February 8, 2013	Rebuttal Expert Disclosures Due
February 28, 2013	Expert Discovery Closes

**IT IS SO ORDERED**22 Dated: November 8, 2012

23 By:


24 Hon. Laurel Beeler  
United States Magistrate Judge